

Senate Bill No. 1107

CHAPTER 593

An act to add Section 1065 to the Fish and Game Code, relating to entitlements.

[Approved by Governor September 26, 2012. Filed with
Secretary of State September 26, 2012.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1107, Berryhill. Automated License Data System: nonprofit conservation organizations.

Under existing law, all licenses, permits, tags, reservations, and other entitlements authorized by the Fish and Game Code are prepared and issued by the Department of Fish and Game or an authorized license agent. Existing law authorizes specified persons to obtain tags or stamps for the taking of specific animals or aquatic species, if certain requirements are met. Existing law authorizes the Fish and Game Commission to require and prescribe the form of applications for licenses, permits, tags, reservations, and other entitlements and the form of any contrivance to be used in connection therewith. An existing regulation defines the Automated License Data System as an automated system that replaced the department's paper license inventory system.

This bill would require the department, if it determines that a nonprofit conservation organization, as defined, that seeks promotion, exposure, and awareness of the organization, is eligible, to include the organization's logo or other graphics in a space with a link to the organization's Internet home page on the Automated License Data System Online License Service Internet Web site (ALDS Web site) for a time period agreed upon by the department and the organization. The bill would authorize the department to impose a charge on a nonprofit conservation organization for inclusion on the ALDS Web site, and would prohibit that charge from exceeding the costs of administering these provisions. The bill would require the department to deposit revenues of the charge in the Fish and Game Preservation Fund, to be available, upon appropriation by the Legislature, exclusively to pay all initial and ongoing costs associated with the direct administration of these provisions. The bill would require the department to implement the links from the ALDS Web site by January 1, 2015, if it determines that date is feasible.

The people of the State of California do enact as follows:

SECTION 1. Section 1065 is added to the Fish and Game Code, to read:

1065. (a) A nonprofit conservation organization seeking promotion, exposure, and awareness of the organization on the Automated License Data System Online License Service Internet Web site, as feasible, through the display of the organization's logo, or other graphics agreed upon by the organization and the department, to give a prospective license buyer the opportunity to link electronically to the organization's Internet home page, shall submit, by September 30 of each year, a letter to the department providing evidence that the organization meets the criteria set forth in subdivision (c). If the department determines that the nonprofit conservation organization is eligible, it shall include the organization's logo or other graphics in a space with a link to the organization's Internet home page on the Automated License Data System Online License Service Internet Web site for a time period agreed upon by both parties.

(b) The department may impose a charge on a nonprofit conservation organization for inclusion on the Automated License Data System Online License Service Internet Web site pursuant to subdivision (a) that shall not exceed the costs associated with the direct administration of this section.

(c) As used in this section, "nonprofit conservation organization" means an entity that the department determines meets all of the following:

(1) It is a nonprofit organization described in Section 501(c)(3) of the Internal Revenue Code (26 U.S.C. Sec. 501(c)(3)), that is exempt from taxation under Section 501(a) of that code (26 U.S.C. Sec. 501(a)).

(2) It is registered with the Attorney General.

(3) Its goals and objectives are related to the conservation of sport fish or game species.

(4) In at least one of the previous three calendar years, it has entered into, or been obligated under, a contract or other agreement, including, but not limited to, a license, easement, memorandum of understanding, or lease, with the department to perform habitat or other wildlife conservation work, to provide hunting or fishing opportunities for the public, to raise funds on behalf of the department, including, but not limited to, the sale of hunting fundraising tags or related items, or to otherwise provide assistance to the department that is consistent with the department's mission.

(d) The department shall deposit revenues of the charge imposed pursuant to subdivision (b) in the Fish and Game Preservation Fund, to be available, upon appropriation by the Legislature, exclusively to pay all initial and ongoing costs associated with the direct administration of this section, including, but not limited to, a portion of the costs of making changes to the Automated License Data System necessary to implement this section.

(e) The department shall implement the links from the Automated License Data System Online License Service Internet Web site by January 1, 2015, if it determines that date is feasible.